Commission for Public Complaints Against the RCMP

2008–2009

Report on Plans and Priorities

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Minister for Public Safety
(Public Safety and
Emergency Preparedness Canada)

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SECTION I – OVERVIEW

Chair's Message

The Commission for Public Complaints Against the RCMP (CPC) provides an important function in society: civilian review of the RCMP's activities so as to hold the RCMP accountable to the public.

This Report on Plans and Priorities is an amplification of our Strategic Plan; and as such is part of our integrated, continuous business planning and performance management process. In any element of the business planning cycle, be it the Report on Plans and Priorities, the Business Plan or a performance agreement for an individual staff member, we build links not only to the Strategic Plan but also to how the government's direction is translated into results for Canadians.

In the ever-evolving environment of policing, the CPC must be able to adapt to change. In an effort to ensure that the CPC's work remains relevant and valuable, our Strategic Plan will be reviewed on a regular basis and adjusted as necessary. The objectives described in our Strategic Plan for 2008–2009 are:

1. Improve access to and openness of the public complaints process;
2. Strengthen the complaints and review processes; and
3. Undertake strategic policy analysis and produce research-based analysis to improve the relevance of review recommendations and to identify continuing, emerging and new complaint trends.

Another example of the CPC adapting to the changing environment within which it works is the program integrity improvement objectives recently approved and temporarily funded by the Treasury Board. The improvements will target outreach, policy and research activities. The specific activity areas are:

1. Strengthen the complaint and review processes;
2. Raise public awareness of the CPC and its activities;
3. Improve access by the public to the complaint and review processes; and
4. Augment the credibility of the CPC as a policing review agency.

Paul E. Kennedy
Chair

Management Representation Statement

I submit for tabling in Parliament, the 2008–2009 Report on Plans and Priorities (RPP) for the Commission for Public Complaints Against the Royal Canadian Mounted Police (CPC).

This document has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2008–2009 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined in the Treasury Board of Canada Secretariat guidance;
- It is based on the department's strategic outcome(s) and Program Activity Architecture that were approved by the Treasury Board of Canada Secretariat;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the Treasury Board of Canada Secretariat.

Paul E. Kennedy
Chair

Raison d'être: Vision, Mission and Mandate

The CPC performs a vital role in Canadian society. Its fundamental role is to provide civilian review of the conduct of the RCMP members in carrying out their policing duties thereby holding the RCMP accountable to the public. This public accountability is not only an essential part in helping ensure that police officers exercise their considerable authority legally and appropriately but also a key element in the checks and balances required to tackle crime in Canada.

The CPC has the authority to make findings and recommendations, but cannot impose discipline or make monetary awards to complainants.

The CPC's Vision and Mission Statements set out why it exists, what it does to support the Government of Canada outcome of safe and secure communities and how it achieves its objectives.

Vision

Excellence in policing through accountability.

Mission

To provide civilian review of RCMP members' conduct in performing their policing duties so as to hold the RCMP accountable to the public.

Mandate

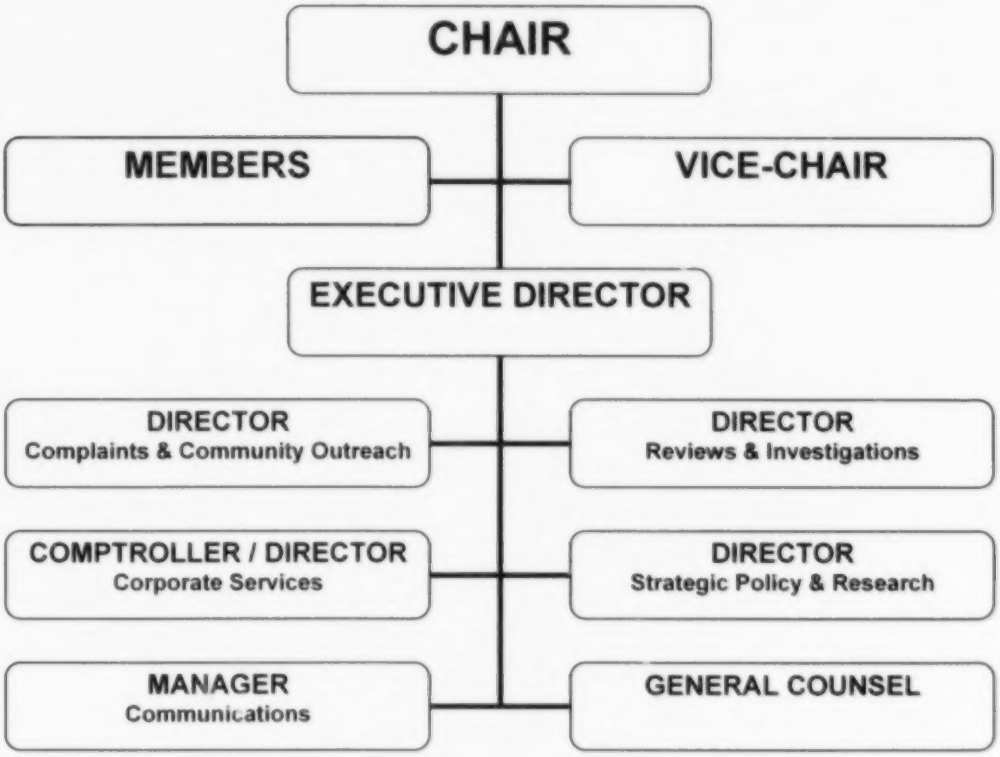
The mandate of the CPC is set out in Part VII of the *RCMP Act* and can be summarized as follows:

- to receive complaints from the public about the conduct of RCMP members; [1]
- to initiate complaints to delve into RCMP conduct when it is in the public interest to do so;
- to conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- to hold hearings and conduct investigations; and
- to report findings and make recommendations.

[1] Please note: The term "members" as used in this document includes all persons appointed under the *RCMP Act*, i.e. both regular and civilian members of the RCMP.

Organizational Information

Organization Chart



Chair

The Chair is the Chief Executive Officer and a full-time member of the CPC. The Chair is appointed by order of the Governor in Council and has supervision over and direction of the work and staff of the CPC.

The Chair has a full-time Vice-Chair who reports directly to him. The Chair may delegate to the Vice-Chair any of his powers, duties or functions, except in the area of staffing, the power to delegate and the duty to submit an annual report for tabling in Parliament.

The Chair may have a complement of full or part-time members who may be assigned to conduct hearings. Reporting directly to the Chair are the Vice-Chair and the Executive Director.

Vice-Chair

The Vice-Chair of the CPC, a Governor-in-Council appointee, assists and supports the Chair. The Vice-Chair may be called upon to undertake special projects. The Vice-Chair has been delegated by the Chair with the responsibility for processing review files expeditiously, implementation of performance based service standards; and the preparation and delivery of interim and final reports following reviews, investigations and hearings, including the findings and recommendations contained therein.

Members

Members of the CPC are appointed on a part-time basis by order of the Governor in Council for each province and territory that contracts for RCMP services, after consultation with the Minister or other elected representatives responsible for policing affairs in that province or territory. The CPC does not currently have any part-time members.

Executive Director

The Executive Director is a permanent position in the EX category reporting to the Chair and responsible for providing support to the Chair; leadership, strategic direction and review over the resources, operations, management and administrative infrastructure of the CPC; the continuing review, evaluation, streamlining and evolution of policies and processes; the management framework, and service delivery strategy; the development and implementation of a communications strategy; constructive relations with the RCMP and the provinces/territories; and the provision of advice on administrative matters to the Chair.

Voted and Statutory Items displayed in the Main Estimates ($000)

Vote or Statutory Item	Truncated Vote or Statutory Wording	2008-09 Main Estimates	2007-08 Main Estimates
70	Program expenditures	7,934	5,051
(S)	Contributions to employee benefit plans	742	571
	Total Agency	8,676	5,622

Departmental Planned Spending Table and Full-time Equivalents ($000)

	Forecast Spending 2007-08	Planned Spending 2008-09	Planned Spending 2009-10	Planned Spending 2010-11
Civilian review of the RCMP member's conduct in the performance of their duties				
Budgetary Main Estimates (gross)	5,051	7,934	4,620	4,620
Non-budgetary Main Estimates (gross)				
Less: Respendable revenue				
Total Main Estimates	5,051	7,934	4,620	4,620
Adjustments				
Procurement Savings				
Supplementary Estimates				
Carry Forward	184			
Program Integrity	1,650			
Budget Announcement				
Other				
Treasury Board Vote 15				
Employee Benefit Plan (EBP)	649	742	567	567
Total Adjustments				
Total Planned Spending	8,534	8,676	5,187	5,187
Less: Non-respendable revenue				
Plus: Cost of services received without charge				
Total Departmental Spending	8,534	8,676	5,187	5,187
Full-time Equivalents	44	44	44	44

The CPC has received program integrity funding in order to meet its current mandate for FY 2007-2008 and FY 2008-09. This temporary funding is to allow the CPC to address its current mandate. In FY 2008-09, the CPC will seek ongoing funding in order to continue to meet its existing mandate.

Summary Information

Financial Resources ($000)

2008–2009	2009–2010	2010–2011
8,676	5,187	5,187

Human Resources (FTEs)

2008–2009	2009–2010	2010–2011
44	44	44

CPC Priorities

Name	Type
1. Improve access to and openness of the public complaints process.	Ongoing
2. Strengthen the complaint and review processes.	Ongoing
3. Undertake strategic policy analysis and produce research-based analysis to improve the relevance of review recommendations and to identify continuing, emerging and new complaint trends.	New

Program Activities by Strategic Outcome

		Planned Spending			
$000	Expected Results	2008-2009	2009-2010	2010-2011	Contributes to the following priority
Strategic Outcome	RCMP members are held publicly accountable for their conduct in the performance of their duties.				
Civilian review of RCMP members' conduct in the performance of their duties.	Access to and openness of the public complaints process is improved.	900	0	0	1
	The complaint and review processes are strengthened.	400	0	0	2
	Strategic policy analysis is undertaken and research based analysis is produced to improve the relevance of review recommendations and to identify continuing, emerging and new complaint trends.	1,220	0	0	3

CPC Plans and Priorities

Planning Environment

In planning for the longer term, strategies must take into account the context within which the organization operates and the current challenges and risks it faces. Some of the key factors that will influence the direction of the CPC in the next few years and which were considered in the development of the Strategic Plan are outlined in this section. It is important to recognize that these factors are complex and that many are linked.

1. External Context

Our clients are increasingly diverse in terms of their cultures, beliefs, values, attitudes and language. In addition to cultural diversity, there is also an urban-rural divide characterized by distinctly different beliefs, values and attitudes. It would also appear that ethnic groups are fragmented and it can be difficult to identify community leaders and spokespeople. It is a challenge for a small organization in Surrey and Ottawa to influence and understand diverse communities locally and across the country.

The degree to which Canadians understand the rule of law varies widely and there is a troublingly high level of illiteracy within the CPC's client base.

There is increasing imbalance both within Canada and globally in terms of growing economic disparity. There are also a disproportionate number of aboriginal people involved in the justice system.

The public's expectations regarding policing and public security are changing as evidenced by an apparent willingness to give up personal liberties to fight terrorism. Expectations are also evolving regarding what police oversight should be and how oversight bodies should behave. It continues to be a challenge to manage and respond to varying and sometimes conflicting expectations.

Provincial policing oversight organizations have differing powers and resource levels than the CPC and, in general, have more up-to-date legislative frameworks.

2. Policing

Crime and criminals are continuing to grow in sophistication and criminal activity has become more global in nature. Policing technologies and techniques have evolved as well and police are required to interact with an expanding network of police forces worldwide. As well, there is an increasing range of police conduct not subject to review with the advent of new legislation and police practices.

Within the police community, there are varying levels of awareness of diversity issues and varying levels of skill in dealing with them.

In terms of the CPC's relationship with the RCMP, areas where there are shared interests may be under-exploited and there may be greater opportunities for sharing information and research resources.

The complexity and size of the RCMP's organization and the frequent changes among operational staff mean that it is often a challenge to identify the appropriate contacts.

3. Government

The government's priorities include a continued emphasis on tackling crime and strengthening the security of Canadians, through initiatives such as safer communities and anti-drug strategies. This will continue to present a challenge to the CPC and to the government with respect to finding the right balance between the level of policing and the level of oversight in terms of both resources and powers.

The government has introduced a new expenditure management framework and has placed renewed emphasis on value for money and results. Increased government accountability will continue to drive more frequent audits and reviews across departments.

There is a shift in how the government views the accountability of heads of agencies and a shift towards greater levels of authority for parliamentary committees and Parliament itself.

Changing the fiscal balance within Canada and renewing federalism are also on the government's agenda. This may result in greater powers and resources for provinces, territories and municipalities.

Other events having an impact on the CPC include the results of the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar, the ongoing results of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 and the final report of the Task Force on Governance and Cultural Change in the RCMP.

4. Context within the CPC

The CPC's governing legislation is out of step both with the current policing environment and with the frameworks in place at the provincial level. As well, the CPC's resource base is out of balance with that of the RCMP's, which has grown substantially over the past several years, although the government has agreed to a temporary influx of program integrity funding up to Fiscal Year 2008–2009. Ongoing operational improvements such as reducing the inventory of files and risk management help us make the best use of the resources available and efforts will be made to obtain additional funding on an ongoing basis.

The scope of the CPC's mandate has been limited by court decisions while the scope of the RCMP's activities has grown.

As a small organization with staff in two distant locations, ongoing vigilance and focused efforts are required to ensure the right people with the relevant skills are in the right places and that the workforce is balanced with respect to diversity and language.

Plans and Priorities

1. Improve access to and openness of the public complaints process.

Key Initiative 1.1 – The percentage of complaints received directly by the CPC is increased.

Performance Measure

The percentage of complaints received directly by the CPC is increased by five percent over the percentage of complaints received directly by the RCMP.

Project Goals and Objectives

In order to augment transparency and accountability with respect to the investigations of complaints (the police investigating the police) it is desirous that the majority of complaints be received by the CPC for transmission to the RCMP. We provide neutral Complaint Receipt Analysts, who are part of a civilian, non-police agency, to help individuals articulate their concerns. Being a civilian, non-police, non-threatening agency helps to reduce the reticence of members of the aboriginal and ethno-cultural community groups to come forward. Another area of concern is increasing the public awareness of and access to the CPC and its services.

Action Items

Increase public awareness of the role of the CPC in the complaints process through outreach activities.

Increase process efficiencies and remove barriers (i.e. simplified forms, multi-lingual service availability, continue to improve the turnaround times for the receipt and transmission of complaints).

Increase public confidence in the role of the CPC in the complaints process by publishing and maintaining process turnaround time standards.

Key Initiative 1.2 – An increased understanding and awareness of the role of the CPC and the complaints process among aboriginal and ethno-cultural community groups.

Performance Measure

The number of community group outreach activities/sessions undertaken.

Project Goals and Objectives

Aboriginal and ethno-cultural community leaders have indicated that there is a general belief that the CPC can be of assistance in the complaint and review processes. However, there remains a need to increase awareness of the existence and raison d'être of the CPC among these groups. The CPC must also continue its efforts toward understanding the needs of aboriginal and ethno-cultural community groups, as they affect the complaints process.

Action Items

Undertake increased outreach activities in the various aboriginal (Friendship Centres) and ethno-cultural communities.

Revise our public information materials to adequately reflect the needs (linguistic and cultural) of the aboriginal and ethno-cultural community groups.

Revise our complaint form to adequately reflect the needs (linguistic and cultural) of the aboriginal and ethno-cultural community groups.

Identify and outline mutual needs/concerns affecting the complaints process.

Key Initiative 1.3 – An assortment of review reports on recent/foremost policing issues is readily available to the public.

Performance Measure

Review reports are readily available to the public through the use of the CPC website and other media outlets and activities.

Project Goals and Objectives

In line with our outreach activities it is essential that we raise public awareness of the CPC review of complaints investigated by the RCMP.

Action Items

Make all review reports in which the findings are adverse to the RCMP available on the CPC website.

Increase public awareness through the increased use of various media outlets including participation and speaking engagements at community events.

2. Strengthen the complaints and review processes.

Key Initiative 2.1 – Introduce and maintain performance-based service standards related to the processing of complaints and reviews.

Performance Measure

Eighty percent of complaints received are processed within four days (complaints received by the Surrey office involve interaction with the complainant to provide discussion, advice and or assistance with respect to the formulation of the complaint). Eighty percent of requests for review are processed within four days. Eighty percent of interim and satisfied reports are completed within 120 days of the request for review. Eighty percent of Final after Commissioner's Notice (FACN) reports are completed within 30 days.

Project Goals and Objectives

Improve process turnaround time standards.

Action Items

Review current standards with a view to improving turnaround times through a review of the process methodology.

Develop appropriate automated process management systems to assist in managing all aspects of the various processes and provide timely, reliable data.

Key Initiative 2.2 – Identify problem and/or positive trends in police behaviour.

Performance Measure

Problem and/or positive trends in police behaviour are identified resulting in recommendations for remedial action and guidance to individual officer(s) and/or the reinforcement of positive police behaviours.

Project Goals and Objectives

Problem and/or positive trends in police behaviour are identified allowing the CPC to make recommendations for remedial action and guidance to individual officer(s) and/or the reinforcement of positive police behaviours.

Action Items

Identify problem and/or positive trends in police behaviour and make recommendations for remedial action and guidance to individual officer(s) and/or the reinforcement of positive police behaviours.

Key Initiative 2.3 – Follow-up of recommendations with the RCMP.

Performance Measure

The RCMP has changed its policies in light of the recommendations made by the CPC.

Project Goals and Objectives

Conduct an assessment of RCMP policies related to CPC reviews to determine if policy changes have been made.

Action Items

Conduct a study to assess changes to RCMP policies in light of related review recommendations.

3. Undertake strategic policy analysis and produce research-based analysis to improve the relevance of review recommendations and to identify continuing, emerging and new complaint trends.

Key Initiative 3.1 – Policy reports for the Chair.

Performance Measure

Policy reports produced for the Chair on current and emerging policing issues impacting the RCMP and the Canadian public.

Project Goals and Objectives

Production of policy reports for the Chair designed to address policy issues at a strategic and operational level.

Action Items

Produce policy reports available to the Chair, the Minister, the RCMP and, when appropriate, the public.

Key Initiative 3.2 – Research reports for the Chair.

Performance Measure

Research reports produced for the Chair on current and emerging policing issues, including analysis designed to improve internal business processes with respect to complaint and review requests.

Project Goals and Objectives

Design, implementation and production of relevant and timely research projects and reports when and as required.

Action Items

Produce research reports available to the Chair, the Minister, the RCMP and, when appropriate, the public.

Key Initiative 3.3 – Production of interim and final reports related to Chair Initiated Complaints/Reviews, Public Interest Investigations and Further Investigations.

Performance Measure

Timely production of interim and final reports on public policy issues of interest when and as required.

Project Goals and Objectives

Examination and analysis of issues affecting policing and public policy issues, with accompanying recommendations.

Action Items

Produce reports available to the Chair, the Minister, the RCMP and, when appropriate, the public.

SECTION II – ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

Analysis by Program Activity

Strategic Outcome

RCMP members are held publicly accountable for their conduct in the performance of their duties.

Program Activity Name

Civilian review of RCMP members' conduct in the performance of their duties.

Financial Resources ($000)

2008–2009	2009–2010	2010–2011
8,676	5,187	5,187

Human Resources (FTEs)

2008–2009	2009–2010	2010–2011
44	44	44

Program Activity Description:

The CPC is an independent federal agency established in 1988 to review public complaints about the conduct of RCMP members in a fair and impartial manner.

The fundamental role of the CPC is to provide civilian oversight of RCMP members' conduct in the performance of their policing duties. The CPC holds the RCMP accountable to the public by providing, at the request of complainants, an independent review of the RCMP's disposition of complaints and by making recommendations to the RCMP Commissioner.

Members of the public may make complaints about the conduct of RCMP members to the RCMP, the CPC or the provincial authority responsible for policing. Complaints are normally sent to the RCMP first. The RCMP then conducts an investigation as to the alleged misconduct and issue a ruling in the first instance. The RCMP Commissioner is required to report the results of investigations to complainants. If complainants are not satisfied with the RCMP's handling of the complaint, they may ask the CPC for a review of their case. The Chair of the CPC may also initiate a complaint if he considers there are reasonable grounds.

When reviewing a complaint, the CPC does not act as an advocate either for the complainant or for RCMP members. Rather, its role is to conduct an independent inquiry and reach objective conclusions based on the information available.

In conducting its review, the CPC considers all relevant information provided by the complainant and the RCMP. If it is not satisfied that the information is complete, it asks the RCMP for additional information or, where appropriate, conducts its own independent investigation.

The Chair also has the authority to hold a public interest hearing to inquire into a complaint.

If the Chair or Vice-Chair is not satisfied with the RCMP's handling of a complaint, the CPC produces an interim report of its findings and recommendations; after the RCMP Commissioner replies to the interim report, a final report is forwarded to the Minister of Public Safety, to the Commissioner of the RCMP and to the parties. Alternatively, if the Chair or Vice-Chair concludes that the RCMP responded adequately to the complainant's concerns, a final report is delivered stating that the RCMP's handling of the complaint was satisfactory.

Because of its role, the CPC is in a unique position to contribute to the overall Government of Canada outcomes, more specifically to safe and secure communities.

Expected Results:

1. Improve access to and openness of the public complaints process.
2. Strengthen the complaint and review processes.
3. Undertake strategic policy analysis and produce research-based analysis to improve the relevance of review recommendations and to identify continuing, emerging and new complaint trends.

This single program activity supports each of the CPC's priorities in a number of ways. In order to be effective in providing civilian review of RCMP members' conduct the CPC must provide a service that is open and accessible to the communities it serves. The process should be efficient and effective, providing for a timely and quality product; it must be carried out by dedicated and committed public servants who work in a healthy and fulfilling environment and be led by a team that can deliver within the management and policy frameworks laid down by Parliament and the Central Agencies.

Over the next year and throughout the planning period the CPC will work to support and influence the government's position/actions flowing from the recommendations of the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar, the ongoing results of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 and the recommendations of the final report of the Task Force on Governance and Cultural Change in the RCMP.

It will begin a program of enhanced research and information management capacity with the intention of devoting more resources to the analysis of emerging trends and providing strategic policy advice to government.

It will expand its outreach and communications function to reach marginalized and disaffected communities and it will continue to foster a workplace of choice.

SECTION III – SUPPLEMENTARY INFORMATION

Table 1: Departmental links to the Government of Canada Outcomes

Strategic Outcome: RCMP members are held publicly accountable for their conduct in the performance of their duties.					
	Expected Results	**Planned Spending ($000)**			**Alignment to Government of Canada Outcome Area**
		2008-2009	**2009-2010**	**2010-2011**	
Program Name: Civilian review of RCMP members' conduct in the performance of their duties.	Improve access to and openness of the public complaints process.	900	0	0	**Social Affairs** Safe and Secure Communities
	Strengthen the complaint and review processes.	400	0	0	
	Undertake strategic policy analysis and produce research-based analysis to improve the relevance of review recommendations, to examine the root causes of present and future complaints and to identify new and emerging or even continuing trends.	1,220	0	0	

Table 2: Services Received Without Charge

($000)	**2008-2009**
Accommodation provided by Public Works and Government Services Canada	636
Contributions covering employers' share of employees' insurance premiums and expenditures paid by the Treasury Board of Canada Secretariat (excluding revolving funds)	185
Salary and associated expenditures of legal services provided by the Department of Justice Canada	0
Total services received without charge	821

Note: This table can also be found on the Treasury Board Secretariat's website at http://publiservice.tbs-sct.gc.ca/est-pre/20082009/p3a_e.asp.

SECTION IV – OTHER ITEMS OF INTEREST

Contacts for Further Information and Web Site

You can find the CPC on the Internet at www.cpc-cpp.gc.ca.

To contact us by e-mail:

for complaints complaints@cpc-cpp.gc.ca
for reviews reviews@cpc-cpp.gc.ca
for general inquiries org@cpc-cpp.gc.ca

Telephone from anywhere in Canada: 1-800-665-6878
TTY: 1-866-432-5837

Legislation

The CPC shares responsibility with the RCMP for carrying out the provisions of Part VII, *Royal Canadian Mounted Police Act* (R.S., c. R-10, Part VII).

In addition, the CPC reports to Parliament on Parts VI and VII of the *Royal Canadian Mounted Police Act* (R.S., c. R-10, Part VI, Part VII).

Recent Publications

Annual Report, 2006–2007: http://www.cpc-cpp.gc.ca/DefaultSite/Reppub/index_e.aspx?articleid=1439